

Customer No.: 31561
Docket No.: 13050-US-PA
Application No.: 10/709,468

REMARKS

Discussion for 35 U.S.C. 103 rejections

The Office Action rejected claims 16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over Hawker (US 5,790,679) in view of Croft (US 2002/0191808). Applicant respectfully traverses the rejections for at least the reasons set forth below.

In response thereto, Applicant has introduced all limitations of claims 18 and 19 into independent claims 16 and 20 to more precisely and clearly define the claimed subject matter. New claim 21 is added to further define the subject matter of claim 21.

In the overall reasons set forth in the Office Action, as admitted, the feature of claim 19 which recites "the speaker module frame is one piece structure formed by plastic injection molding" is not disclosed in all cited references of record. It is believed that the feature is allowable and claims 16 and 20 are also allowable in view of introducing the feature respectively in the claims 16 and 20.

Furthermore, in the terminal device of Hawker, an enclosure 26, a partition 28, a top 36 and a bottom 38 are used to support or enclose a transducer 20 in order to provide a front enclosure and a back enclosure for the transducer 20, but **the enclosure 26, partition 28, top 36 and bottom 38 are portions of terminal casings of the terminal device.**

The claimed speaker module **with a built-in front sound enclosure and a built-in rear sound enclosure** of the present invention is **a separate module from casings or other components in the device in which the speaker module is installed.** Thus, the speaker module of the present invention should be considered as a component

Customer No.: 31561
Docket No.: 13050-US-PA
Application No.: 10/709,468

similar to the transducer 20 of Hawker, rather than a combination of the transducer 20 with the portions (enclosure 26, partition 28, top 36 and bottom 38) of the terminal casings. Hawker fails to teach or suggest that the transducer 20 has a built-in front sound enclosure and a built-in rear sound enclosure recited in independent claims 16 and 20.

In addition, in Hawker, the transducer 20 is located on one side of a partition 28 within the enclosure 26. An opening 34 is formed on the partition 28 to allow sound wave generated by the transducer 20 to pass therethrough. Hawker fails to teach or suggest the transducer 20 is disposed in the opening 34. In other words, Hawker fails to teach or suggest the accommodating hole for accommodating a speaker vibration system and a magnetic loop recited in independent claims 16 and 20.

As disclosed in first paragraph [0024] after the section "Detailed Description" of the original specification, it was stated that "[T]he present invention provides a speaker module with the built-in front sound enclosure and rear sound enclosure for the client's convenience so that the client can directly install it into the electronic device without considering the space arrangement. Applicant respectfully submits that the claimed speaker module with a built-in front sound enclosure and a built-in rear sound enclosure is convenient for the user to directly install in the electronic device without casings or rearranging other components in the device.

Croft also fails to teach or suggest foregoing features recited in independent claims 16 and 20. A person of ordinary skill in the art can not combine Hawker and Croft to achieve all of the features as set forth in claims 16 and 20 at the time of the invention.

Customer No.: 31561
Docket No.: 13050-US-PA
Application No.: 10/709,468

So independent claims 16 and 20 are patentable over Hawker and Croft, and thus should be allowed.

The Office Action rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over Hawker and Croft, as applied to claim 16, and further in view of Dyer (US 6,688,421). Applicants respectfully traverse the rejections for at least the reasons set forth below.

As set forth above, independent claim 16 is allowable. Thus, dependent claim 17 should also be patentable since it depends on allowable claim 16 directly.

Furthermore, although Dyer teaches a cavity 104 having retention flaps 305 for positioning an audio device, a person of ordinary skill in the art can not combine an opening which cannot serve as an accommodating hole in the apparatus of Hawker with a cavity having retention flaps in the apparatus of Dyer to achieve an accommodating hole having positioning slices. Dependent claim 17 is patentable over Hawker, Croft and Dyer.

As the same reason, newly added claim 21 is also patentable.

Customer No.: 31561
Docket No.: 13050-US-PA
Application No.: 10/709,468

CONCLUSION

In view of the foregoing, it is believed that all pending claims 16-17 and 20-21 are in proper condition for allowance. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel to arrange for such a conference.

Date : *Dec 28, 2007*

Respectfully submitted,

Belinda Lee
Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jicgroup.com.tw
Usa@jicgroup.com.tw